

Scott Twito  
**DEPUTY YELLOWSTONE COUNTY ATTORNEY**  
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Billings, Montana 59107-5025  
Telephone: 406/256-2870  
Attorney For Plaintiff

CLERK OF THE  
DISTRICT COURT  
LAURA A. BRENT

03 JUN 13 PM 4 15

BY

DEPUTY

**MONTANA THIRTEENTH JUDICIAL DISTRICT COURT  
YELLOWSTONE COUNTY**

STATE OF MONTANA,	)	CAUSE NO. DO <b>03 0479</b>
	)	
Plaintiff,	)	JUDGE: <b>TODD BAUGH</b>
	)	
vs.	)	<b>AFFIDAVIT AND MOTION FOR</b>
	)	<b>LEAVE TO FILE INFORMATION</b>
KRYSTAL KEITHLEY,	)	
	)	
Defendant.	)	

The undersigned Deputy County Attorney of Yellowstone County, Montana, being first duly sworn upon his oath, moves the Court for Leave to File an Information, based upon information developed through an investigation conducted by law enforcement officers, charging the above-named Defendant with the crime of:

**ASSAULT WITH A WEAPON (FELONY)**

committed at Yellowstone County, State of Montana, on or about June 10, 2003.

That law enforcement officers have made a full and careful investigation of all the facts and circumstances surrounding the commission of said offense, so far as they are known or ascertainable; that he believes it a proper case for filing of an Information and that for this reason, and none other, the foregoing motion is made.

The Court is informed that the Billings Police Department investigation revealed the following:


On June 10, 2003, Officer Oberg of the Billings Police Department responded to a report of a firearms call located at 2315 Henesta Drive. Upon arrival, the officer spoke with the victim Donald Fisher. Mr. Fisher stated that he was the maintenance man for PMI Property Management and that he attempted to contact the residents of 2315 Henesta. Their vehicle was blocking the driveway at 2313 Henesta.

In a written statement Mr. Fisher explained further and stated that he knocked loudly on the door at 2315 Henesta in an attempt to rouse the resident living there. Mr. Fisher waited several minutes and no one came to the door. Eventually, KRYSTAL KEITHLEY, the Defendant herein, came to the door. Mr. Fisher told her to move the vehicle blocking the driveway. She made a comment and then slammed the door on him.

Approximately five minutes later, Mr. Fisher again knocked on the door. The Defendant yelled at him and stated: "If you keep pounding on the door, I will shoot you." Suddenly, the Defendant opened the door and was holding a black semi-automatic pistol. At that time, Mr. Fisher believed that his life was in danger and he turned and left the area. He immediately contacted the police.

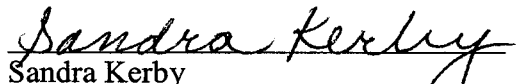
Officers of the Billings Police Department later searched the premises and recovered a loaded .380 Starfire pistol. In a statement the Defendant admitted ownership of the pistol. The Defendant also admitted holding the pistol in her hand when she confronted Mr. Fisher at the door.

The investigation continues.



Scott Twito  
DEPUTY COUNTY ATTORNEY  
Yellowstone County, Montana.

Subscribed and sworn to before me on June 12, 2003.

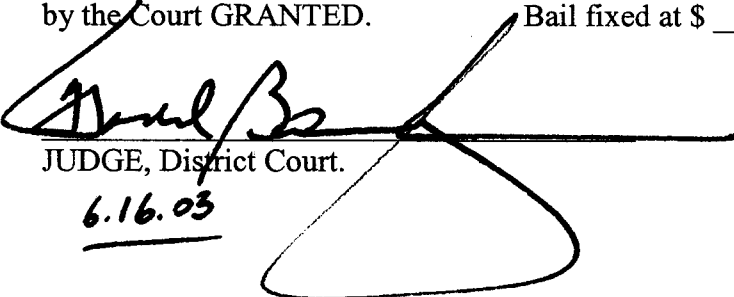


Sandra Kerby  
Notary Public for the State of Montana.  
Residing at Billings, Montana.  
My Commission Expires January 1, 2004

(SEAL)

Leave to file Information  
by the Court GRANTED.

Bail fixed at \$ \_\_\_\_\_.

  
JUDGE, District Court.

6.16.03

Dennis Paxinos  
Scott Twito  
**YELLOWSTONE COUNTY ATTORNEY**  
P.O. Box 35025  
Room 701, Courthouse  
Billings, Montana 59107-5025  
Telephone: 406/256-2870  
Attorney For Plaintiff

**FILED**  
*June 16, 2003*  
*2:00 PM*  
Laura A. Brent  
CLERK OF THE  
DISTRICT COURT  
By *[Signature]* Deputy

**MONTANA THIRTEENTH JUDICIAL DISTRICT COURT, (3)  
YELLOWSTONE COUNTY**

STATE OF MONTANA,

Plaintiff,

vs.

KRYSTAL KEITHLEY,

Defendant.

CAUSE NO. DC: **03 0479**

JUDGE: **B. TODD BAUGH**

**INFORMATION**

The undersigned County Attorney of Yellowstone County, Montana, states:  
before the filing of this Information, the above-named Defendant, in Yellowstone  
County, Montana, on or about June 10, 2003, committed the offense of:

**ASSAULT WITH A WEAPON (FELONY)**

The alleged facts constituting the offense are:

That the Defendant, KRYSTAL KEITHLEY (d.o.b. 4/28/85), purposely or  
knowingly caused reasonable apprehension of serious bodily injury in another by the use  
of a weapon or what reasonably appeared to be a weapon; to wit: the Defendant  
threatened to shoot Donald Fisher while holding a gun or what reasonably appeared to be  
a gun causing him to fear for his life, at or near 2315 Henesta, Billings, Yellowstone  
County, Montana, all of which is in violation of Section 45-5-213 Montana Code  
Annotated and against the peace and dignity of the State of Montana.

Dated this June 12, 2003.

Dennis Paxinos, Yellowstone County Attorney

By: Scott Twito

Scott Twito

Deputy County Attorney in and for  
Yellowstone County, Montana.

STATE OF MONTANA )

ss:

County of Yellowstone )

The undersigned, being first duly sworn on his oath, deposes and says: That he is the duly elected, qualified and acting County Attorney of Yellowstone County, Montana, that he has read the foregoing Information, knows the contents thereof and the matters, facts, and things therein stated are true of his knowledge, except those things stated on information and belief, and that as to those he believes it to be true.

Dennis Paxinos, Yellowstone County Attorney

By: Scott Twito

Scott Twito

Deputy County Attorney in and for  
Yellowstone County, Montana.

**WITNESSES ON PART OF STATE:**

Billings Police Department, Billings, MT

Officer Oberg

Officer Bentz

Officer Pust

Property Officer

Donald Fisher, address supplied later

Paul Raymond Christeck, 2315 Henesta, Billings, MT.